UNITED
NATIONS

CEDAW

Convention on the Elimination of all Forms of Discrimination Against Women

Distr.
GENERAL

CEDAW/C/5/Add.15
11 July 1983
ENGLISH
ORIGINAL: RUSSIAN

Committee on the Elimination of
Discrimination Against Women (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States Parties

PEOPLE's REPUBLIC OF BULGARIA

V.83 58230

Article 1

Social conditions in Bulgaria leave no room for discrimination against women or for any other kind of discrimination. This fact is reflected in the ratification by the Bulgarian Government of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights of 1966. A cardinal feature of our social policy is the full guarantee of constitutional rights to all citizens, including women, on a basis of equal rights for women and men. As far as the further development of this policy with regard to women is concerned, the principal guidelines are contained in the decision of the Politbureau of the Central Committee (CC) of the Bulgarian Communist Party (BCP), adopted on 6 March 1973 and approved by the Council of State of the Bulgarian People's Republic, calling for the increased involvement of women in the task of building the developed socialist society. This decision, which constitutes a master programme of action for all State, economic and social organs, sets forth measures designed to bring about the increasingly full and genuine social equality of men and women on the basis of equal rights.

Society's task is to assist women in their role as mothers through a range of legislative and other social measures. The protection of mothers has in fact been raised to the level of a constitutional principle. Article 37 of the Bulgarian Constitution states: "Mothers shall enjoy the particular protection and care of the State and of economic and social organizations, as reflected in such privileges and services as paid pre- and post-confinement leave, free midwifery assistance and medical care, easier working conditions, and access to an expanded system of maternity homes and child care centres as well as institutions providing community and general services and public catering establishments."

Article 2

(a) The principle of the equality of men and women is proclaimed in article 36 of the Bulgarian Constitution, which states: "Women in the People's Republic of Bulgaria shall enjoy equal rights with men."

The equality of men and women was proclaimed in October 1944 under a decree which introduced equal rights for both sexes, and was elevated to the status of a constitutional principle in the Constitution of 1947.

The practical implementation of this principle is ensured through the entire legal system, in which it is consistently applied, and also through a number of other social measures.

(b) The legislative provision barring discrimination against pregnant women is to be found in article 119 of the Labour Legislation Code (LLC), according to which no enterprise, agency, or organization has the right to refuse, on the basis of pregnancy, employment to women desirous of working.

A similar provision is contained in article 35 of the LLC, which states that no enterprise, agency, or organization may dismiss from employment (with or without advance notice) an office or manual worker found to be pregnant, or a mother before her child attains the age of eight months, or an office or manual worker whose husband is performing his military service, nor may it change the conditions of such a person's employment contract, if concluded for an indefinite period of time, except in cases of serious misconduct or the closure of the enterprise in question. Regardless of the seriousness of their misconduct, office or manual workers may not be dismissed from employment nor may the conditions of their employment contract be changed while they are on pre- or post-confinement leave or subsequent leave up to the third birthday of their child.

Any woman whose rights under this law have been violated may seek remedy through the courts or, through administrative channels, from the next-highest organizational echelon or the labour inspection office. The labour inspection office has the power to punish those responsible for the violation in question.

(c) According to article 35 of the Bulgarian Constitution, all citizens of the Bulgarian People's Republic are equal before the law. Moreover, men and women enjoy equal rights in respect of material matters and due process. Women are afforded all the protections of the law on an equal footing with men: the right to bring suit through the courts or through other legal channels, the right to appeal against individual administrative decisions either through administrative channels or through the courts, and the right to seek redress for violations of the law either from the competent specialized oversight authorities or from the office of the public prosecutor under the exercise of that office's general law-enforcement function.

(d) As the supreme organ of the authority of the State, the People's Assembly combines an executive and legislative function and exercises the ultimate oversight over constitutional conformity and law enforcement. Here in fact lies the basic guarantee against the commission of any acts whatsoever of discrimination against women. According to article 28 of the Office of the Public Prosecutor Act, the public prosecutor has the right to demand the rescinding of illegal regulations, provisions, instructions, decisions, orders, etc. This is also the legal mechanism for the quashing of any directive of a discriminatory nature or for the remedying of isolated individual actions violating the principle of women's equality.

An important guarantee for the observance of this principle by the agencies of the State is the social oversight function exercised by the Committee of the Bulgarian Women's Movement and by its district and community councils. Many of the women who hold leadership positions in the Movement are members of governmental or public bodies and thus in a position to influence the taking of decisions with a bearing on the problems of women and the family.

(e) The appropriate competent governmental agencies are empowered to act at once in cases involving the violation of women's legal rights by individuals, organizations, or enterprises. These agencies include: the courts, the office of the public prosecutor, the State and people's oversight authorities, the offices of the labour inspectorate, the State social insurance agencies, and the various divisions of the Government's administrative system.

(f) In addition to legislative measures, educational steps have also been taken to put an end to all forms of discrimination against women, including certain vestiges of the past still found in a number of local customs.

(g) The Bulgarian Penal Code contains no provisions that might provide a basis for discrimination against women. Bulgarian policy in the area of criminal law is guided by the social need to ensure mothers every protection against all socially dangerous encroachments posing a threat to maternity or endangering the function of motherhood. Thus, manslaughter is held to be aggravated if the victim was a pregnant woman (article 116 of the Penal Code). The destruction of a foetus outside of a health institution or in violation of established rules is regarded as an assault on motherhood posing a serious threat to society (article 126 of the Penal Code). The woman herself bears no criminal responsibility whatsoever for the termination of her

pregnancy. The degree of criminal responsibility will differ depending on the professional qualifications of the practitioner, the presence or absence of consent by the pregnant woman, the result of the intervention, and other factors. The offence is held to be aggravated if the guilty party has not received advanced medical training, if he has destroyed the foetuses of two or more women, if he has been previously convicted of a similar offence or if he has acted without the consent of the pregnant woman. The severest penalties are provided in cases where a pregnant woman dies as the result of a termination of pregnancy to which she did not consent.

In establishing penalties for bodily injuries, the Penal Code (article 128) classifies the destruction of a woman's ability to bear children as a grievous bodily injury, on a par with injuries to the vital organs. It is a criminal offence for a person engaged in the practice of medicine not to assist a woman in childbirth when called upon to do so.

Marriage and the family are also protected under the Bulgarian Penal Code. Penal sanctions are provided for whoever forcibly compels another person to contract a marriage (such a marriage will subsequently be declared invalid) or forcibly abducts a woman for the purpose of compelling her to enter into a marriage (article 177 of the Penal Code). A parent or other relative who accepts money to allow a daughter or female relative to enter into marriage is liable to criminal prosecution (article 178 of the Penal Code). In actual practice such cases are extremely rare.

Article 3

The Bulgarian Government takes legislative and other social measures in all fields, particularly the political, economic and cultural fields, to ensure women's all-round development and advancement on an equal footing with men in order that they may be guaranteed the full and effective enjoyment of their human rights.

The State has written into the law the legal equality of men and women and has anchored this equality in the appropriate legislation. In order to accelerate de facto social equality between the two sexes, women enjoy a number of additional rights in connection with their role as mothers.

Article 4

(a) The equality of men and women, proclaimed in the Constitution and consistently promoted by legislation, is a powerful factor in developing the appropriate patterns of conduct for men and women. The comprehensive social order and women's involvement in it on a basis of parity are contributing to the total eradication of possible remnants of the past in customs and habits relating to the role of women. Where necessary, additional measures are taken to overcome the vestiges of traditional male-female role stereotypes.

(b) Matters of family education, the proper understanding of maternity as a social function, and the recognition of the common responsibility of both parents in the upbringing and development of their children form an important part of the work of various social organizations, especially the Fatherland Front and the Committee and councils of the Bulgarian Women's Movement. The "family clubs" which have been established in nearly all communities represent a specific social approach to the task of family upbringing in the spirit of sexual equality and the total eradication of stereotyped roles for men and women.

In addition to the social approach, the Government has also established institutions of its own which not only provide comprehensive family assistance but also play an educational role. Examples of these institutions are the social and legal aid offices attached to health centres and also the social services departments of the People's Councils.

Article 6

Traffic in women does not exist as a social phenomenon in Bulgaria. Exploitation of the prostitution of women is also non-existent, for the reason that prostitution as an organized professional activity is unknown in this country.

Article 7

The right of women to participate in political and public life on an equal footing with men is specifically anchored in article 6 of the Constitution, which lays down the way the nation's representative bodies are to be constituted, namely on the basis of universal, equal, and direct suffrage: "The right to

vote and to be elected is the right of all citizens of the Bulgarian People's Republic who have reached the age of eighteen, regardless of sex, nationality, race, religious confession, level of education, nature of occupation, official, public or property status, with the exception of those persons who have been deprived of this right by due process of law."

Article 3 of the Elections Act provides that all persons shall have an equal right to vote. Thus, women also are fully guaranteed this right. Moreover, infringements of this right are punished under the Bulgarian Penal Code, article 167 of which provides for sanctions in the case of any person who by force, guile, threat or any other illegal means hinders another person in the exercise of his or her right to vote.

(a) More than 98 per cent of all eligible women voters vote in elections to the People's Assembly and to local governmental bodies and in referenda.

(b) Of the 400 members of the People's Assembly, 87 (or 21.75 per cent of the membership) are women. Of the 25 members of the State Council of the Bulgarian People's Republic, five are women. Of the total number of members of local governmental bodies, 32.2 per cent are women. Women sit on the permanent special committees of the People's Assembly and the People's Councils and in a number of other governmental bodies, where they participate, in full equality with men, in the formulation and implementation of government policy and in important legislative and administrative decision-making.

The Bulgarian Minister of Justice is a woman. Women hold the posts as deputy ministers in a number of ministries: Foreign Affairs, Education (two women deputy ministers, one with the rank of minister), Internal Trade and Services, and Light Industry.

Women also function as vice-chairmen of the State and People's Oversight Committee and the Committee on the Unified System of State Information under the Council of Ministers. Many of the chairmen and vice-chairmen of the district and community People's Councils are likewise women.

Women hold 25.8 per cent of all senior positions at the country's institutions and economic organizations.

(c) Women play an active role in the political parties and broad-based public organizations. They account for 29.7 per cent of the membership of the Bulgarian Communist Party and 13.1 per cent of the Bulgarian Agricultural Popular Union (the agrarian party). They make up 49.7 per cent of the largest public political organization, the Fatherland Front, 48.9 per cent of the membership of the Bulgarian trade unions, and 49.8 per cent of the membership of the Dimitrov Communist Youth League.

The number of women in the leading bodies of the public organizations is on the increase. In the Fatherland Front, women account for 41 per cent of the membership of these bodies at grass-roots level, 40.5 per cent at the district and community committee level, and 30.4 per cent at the level of the Front's National Council. In the Bulgarian trade unions, they account for 46.6 per cent of the membership of local trade-union committees, 50.9 per cent of the membership of branch district committees and 33.4 per cent of the membership of the Central Council of the Bulgarian Trade Union Movement. In the Dimitrov Communist Youth League, women account for 50 per cent of the leadership of the komsomol brigades, 45.2 per cent of the membership of the district committees, and 38.8 per cent of the Union's Central Committee.

Recent studies of how people spend their time indicate that there are practically no differences as between men and women in terms of the amount of time either sex devotes to public, social, and political activity. This suggests the conclusion that, on the whole, women are involved in furthering the cause of national development to the same degree as men.

Article 8

Appropriate measures are taken in Bulgaria to ensure the training of women and the creation of equal opportunities for their participation in the bodies representing their Government at the international level. In the Ministry of Foreign Affairs, women are employed as specialists in a number of areas, in addition to which they also hold diplomatic posts and are involved in the decision-making process.

Article 9

1. Under the Bulgarian Citizenship Act, Bulgarian women enjoy equal rights with men to acquire, change, or retain their nationality.

Like men, women acquire Bulgarian nationality on the basis of their parentage or their place of birth or through naturalization. A Bulgarian citizen may acquire or retain alien citizenship only after he or she has first relinquished his or her Bulgarian citizenship.

According to article 4 of the Bulgarian Citizenship Act, a marriage entered into by a Bulgarian citizen with a citizen of a foreign State does not result in a change in the citizenship of the Bulgarian citizen nor does it confer Bulgarian citizenship on the alien citizen. A change in the nationality of one of the spouses does not cause a change in the nationality of the other.

2. Article 6 of the Bulgarian Citizenship Act guarantees women equal rights with men in respect of the nationality of their children.

Article 10

Article 45 of the Bulgarian Constitution establishes for all citizens the right to free education at all kinds of educational institutions under the conditions laid down by the law. Only State educational institutions exist in Bulgaria.

As in all other areas of life, women enjoy equal rights with men in the area of education. The practical consequences of this equality are the following:

(a) Women enjoy the same conditions as men for career and vocational guidance and for access to all categories and forms of education.

The Constitution provides for compulsory elementary education, and the State is creating all the necessary conditions to bring about universal secondary education as well.

Both the Decree on Education and the Act calling for closer links between the school and everyday life and for the further improvement of education in Bulgaria lay down the requirement that elementary education shall be free and compulsory for all children, regardless of their sex, race, parentage or religious belief. In addition, once they have completed their elementary education, girls are given the same opportunities as boys to continue their studies either at unified secondary polytechnical schools, secondary vocational schools ("technicums"), or vocational technical schools. According to the Higher Education Act, admittance to higher institutions of learning is open to all persons with completed secondary education, regardless of sex. Women can study on equal terms with men in correspondence and evening courses.

Girls account for 48.6 per cent of total school enrolment, and young women for 52.0 per cent of total student enrolment.

(b) The Bulgarian educational system is co-educational, i.e., males and females study together, being taught by the same teachers according to the same curricula, sitting the same examinations and using premises and equipment of the same quality.

(c) The co-educational principle extends to all forms of education, thus contributing to the elimination of stereotyped concepts of the roles of men and women.

(d) The conditions and opportunities for obtaining study grants are basically the same for all persons. Female students with children enjoy additional privileges: following the birth of a child, such students are entitled to financial assistance and a special allowance in the amount of 90 levs (approximately equal to the minimum wage) until they complete their education. For each child, until its sixteenth birthday, a student parent (mother or father) receives a monthly allowance in an amount of approximately one-third of the minimum wage.

(e) Women enjoy equal opportunities with men to continue their education under the same conditions. There is the possibility of combining work with advanced studies, in which case both men and women students are entitled to additional leave for the purpose of attending classes and taking examinations.

Following the completion of their higher education, women have the same opportunities as men to engage in post-graduate studies, specialization and research.

Illiteracy has been eradicated in Bulgaria. Among the factors helping to eliminate differences in education between men and women are the "people's universities", which represent yet another public approach to the task of raising the intellectual and cultural level of the population. It should be noted, however, that attendance at these "people's universities" confers no special rights.

(f) In our country there are no social conditions of the kind that might place women in a position of disadvantage or cause them to discontinue their education. The special maternity privileges and other provisions that have been introduced, such as housing for student families and children's centres for the children of student mothers, make it possible for studies to be successfully combined with motherhood.

(g) Favourable conditions have been created in Bulgaria for the involvement of women in sports. One hundred thousand women, or one quarter of all persons actively engaged in sports, are members of representative teams in such sporting disciplines as basketball, volleyball, handball, light athletics, swimming, callisthenics, and chess. Bulgarian sportswomen first made their appearance at the Olympic Games in 1952 at Helsinki, where they won a number of medals. Our women are also among world record-holders: Marija Gigova is a three-time absolute world champion in rhythmic gymnastics, and Anelija Ralenkova was absolute European champion in the same discipline in 1982.

(h) The "family clubs" make available special educational information aimed at contributing to the preservation of family health and welfare, including information on matters connected with family planning.

A contribution is also made by the media, in particular women's magazines such as: "Bolgarskaya zhenshchina" (Bulgarian Woman), "Rabotnitsa" (Woman Worker), "Lada", etc.

Article 11

The State has taken measures to guarantee the equal participation of women in employment.

(a) Article 40 of the Bulgarian Constitution affirms the right of citizens to work and also the right of every individual to choose his occupation freely.

This constitutional principle applies equally to men and women.

(b) Men and women have the same rights and opportunities to enter employment. The selection criteria are also the same: education, qualifications and ability.

Article 119 of the Labour Legislation Code proscribes discrimination against pregnant women seeking employment. In such cases a female candidate may not be refused an appointment if she fulfils the requirements for the post in question.

The equality of employment opportunities for women is also shown by the fact that they account for almost half the entire working population of Bulgaria, namely 48.9 per cent.

Further evidence of the degree of equality achieved is provided by the fact that a third of the engineers and half of the doctors in the country are women. The legal professions, traditionally a male domain, are now fully accessible to women. Forty-five per cent of all judges (55 per cent in district courts), 40 per cent of all legal advisers and 29.4 per cent of all attorneys are women.

(c) The creation of opportunities for women to acquire the same education and qualifications as men has ensured that the constitutional principle of free choice of profession and employment is applied to women. The existing opportunities of acquiring, changing and increasing their qualifications guarantee women the right to work and open up the same promotion prospects to them as to men. At work, women enjoy the same benefits and advantages as men.

Furthermore, additional opportunities have been created for working mothers. In accordance with Council of Ministers Decree No. 38 of 1980, mothers of children under the age of six have the right to enter employment contracts for homework even while on unpaid leave under another employment contract. Specially favourable employment conditions have been created for housewives with a family and small children to look after, who may work shorter hours if they wish. In Circular No. 0-9 of 10 March 1971, issued by the Ministry of Labour and Social Security together with other organizations, certain posts and functions are reserved for women working half days, half months or on alternate days. Regardless of shortened working hours, they retain the same social security and pension rights as other office and manual workers.

(d) Article 41 of the Bulgarian Constitution provides that work shall be remunerated according to its quality and quantity. This principle is adopted and developed in article 67 of the Labour Legislation Code, according to which remuneration for labour depends on the quality and quantity of work performed. This statute also lays down the important rule that labour contracts must provide for the remuneration of office and manual workers for any work they do. This principle applies equally to men and women and is strictly adhered to in practice. The People's Republic of Bulgaria has ratified the International Labour Organisation's Convention No. 100 of 1952. The same conditions and criteria apply to the evaluation of male and female labour. The wages of men and women alike are determined on the basis of standard documents such as the Common Manning Table, Common Wage Schedule and regulations on the payment of supplementary remuneration for prolonged and uninterrupted work, unpleasant working conditions, etc.

(e) According to article 43 of the Bulgarian Constitution, citizens have the right to social security, pensions, allowances for illness, disability, maternity, invalidity, old age or death and for child maintenance, and to extraordinary grants in certain legally defined cases.

The Bulgarian social security system must provide for all workers including those employed in agriculture. All workers, regardless of the branch of the economy they are working in, are covered in all the cases provided for by law.

Women enjoy the same social security rights as men. Moreover, they have additional rights in connection with maternity.

Social insurance payments are made for the following contingencies: "Illness", "Maternity", "Accidents at work", "Invalidity, old-age, death", "Children's allowances", cash reimbursement of expenditure during quarantine and expenditure for sick family members, supplementary benefits to workers in compensation for reassignment, financial compensation for the refusal of an invalidity pension on the grounds of an insufficient period of employment, cash allowances for diet foods, treatment and rest in sanatoria, watering-places and holiday homes, provision of indispensable orthopaedic devices, prosthetic appliances, etc., allowances for temporarily unemployed persons, and funeral allowances.

Social security assistance is rendered in cash. The only services in kind are orthopaedic remedies and devices and free meals in sanatoria and hospital dining halls.

Cash reimbursement for temporary invalidity (accidents at work, occupational diseases, illness, maternity, quarantine, etc.) and invalidity, old-age and widows' or widowers' pensions are calculated and disbursed as a fixed percentage of the salary or wage that the beneficiary was earning before the contingency occurred.

All women office and manual workers including agricultural workers have a right to paid maternity leave for the same length of time and on the same conditions. A preliminary period of employment is not a necessary condition for the right to maternity leave. The amount of leave depends on the number of children: 120 calendar days after the birth of the first, fourth and each subsequent child, 150 days after the birth of the second and 180 days after the birth of the third child. Mothers are paid a full allowance in the same amount as their salary or wage for the entire period of maternity leave.

In order to safeguard the mother's health and the proper development of pregnancy, 45 days of this leave must be taken before confinement.

Working mothers also have the right to additional leave for child care immediately following maternity leave proper. Such additional leave is granted at the mother's request for six months after the birth of the first, fourth and each subsequent child, seven months after the birth of the second and eight months after the birth of the third child. For the duration of this leave, provided that the child is not attending a child care institution, mothers receive a cash grant in the amount of 100 levs, i.e. the legal minimum wage in the People's Republic of Bulgaria.

A minimum cash grant for pregnancy, childbirth and child care is guaranteed in this country and never falls below the general minimum wage.

Unmarried mothers have the right to receive a maternity grant in the same amount until the child is two years old.

After the end of their paid leave, mothers are entitled to take unpaid leave until their child is three years old, during which time they receive a grant in the amount of 10 levs per month (i.e. one-tenth of the minimum wage). The administration of the firm or office where the mother works is obliged to grant this leave, which is fully credited towards the mother's period of service and during which she retains all her rights in connection with her job including the right to social security, monthly child allowances and paid annual leave. A mother of three children who takes full advantage of this leave is credited with ten years of service without returning to work. With that length of service, she can, upon reaching the necessary age, claim half her normal pension.

A working woman who adopts a child has the same maternity rights.

According to the Decree on the Encouragement of Childbirth, all Bulgarian women, whether they are working or not, have the right to an extraordinary grant for the birth of each child. Its amount depends on the number of living children borne or adopted by the mother.

A grant of 100 levs is paid for the first, fourth and each subsequent child, 250 levs for the second and 500 levs for the third child. Both parents have the right to a combined total of 60 days of leave per year to look after a sick child up to the age of 16. During that period the parent receives 100 per cent of his or her pay if the child is under 7 years of age and reimbursement of the expenses shown in the medical certificate if the

child is older than 7 years. If an infant goes into a health care institution accompanied by its mother, she receives paid leave for the whole stay in hospital with her child. Paid leave is also granted for the care of healthy children if they cannot return to their day nursery because of quarantine. If a sick child requires care for a longer period, leave is granted for more than 60 days. This is not paid but is credited towards the mother's period of service.

The right to maternity protection is also enjoyed by women who are not working if they have given birth to a child not later than six months after the termination of their work contract or insurance coverage. They receive cash allowances for pregnancy, childbirth and child care for a period of 10 months after the first, fourth and each subsequent child, 12 months after the second and 14 months after the third child. These allowances are equivalent to the national minimum wage.

With regard to pension rights, motherhood counts towards a woman's total period of service even if she is not employed at the time. The amount of service thus credited ranges from 12 to 18 months depending on the number of children.

Women have the same pension rights as men. In some cases women acquire pension rights on even more favourable conditions than men.

Women retire on disability pension on exactly the same conditions as men, i.e. after the loss of the ability to work and as a result of working accidents, occupational diseases or any other disease.

The right to retire upon completion of one's period of service or on reaching retirement age is applied to women on more favourable terms than to men, i.e. they may retire at an earlier age and after fewer years of service.

The right to retirement after completion of service or on reaching retirement age differs for both men and women depending on which of the various labour categories, as defined in the relevant Regulation, they fall under.

Workers in Category I may retire upon completing 15 years of service and reaching the age of 50 for men or 45 for women.

Workers in Category II may retire upon completing 20 years of service and reaching the age of 55 for men or 50 for women.

Workers in Category III may retire upon completing 25 years of service and reaching the age of 60 in the case of men; or upon completing 20 years of service and reaching the age of 55 in the case of women.

Women who have borne and brought up 5 or more children may retire upon completing 15 years of service and reaching the age of 45 (40 in the case of a Category I job).

According to section 31 of the Pensions Act, the group of persons entitled to a pension for surviving dependants includes husbands and wives. After the death of a spouse, survivors' pensions may be claimed by men on reaching the age of 60 and by women on reaching the age of 50 or, if they are unable to work, before the statutory age. A deceased husband is deemed to have supported his wife even if she has been working.

A wife is entitled to a survivor's pension regardless of age or ability to work if she is not working but is looking after the deceased person's children, brothers or sisters up to the age of 16.

The right to annual paid leave is enshrined in article 42 of the Bulgarian Constitution. Basic leave is 14, 16 or 18 working days a year, depending on length of service. Apart from this, additional paid leave is granted in a number of cases depending on the type of work, working conditions, working hours and length of service in the same firm. The amount of annual leave is determined on the basis of the Labour Legislation Code and other regulations, all of which apply equally to men and women.

According to article 41, paragraph 2, of the Bulgarian Constitution, workers have the right to safe and healthy working conditions. Some of the legislation on the protection of labour is concerned particularly with the protection of women's labour and with working conditions for pregnant women and mothers of small children.

The Ministry of Health has issued regulations concerning physical strain on workers and hygienic and physiological requirements for the rational organization of work places and work processes, which include some special provisions for female labour. The legal standard for maximum expenditure of energy during physical exertion is 4 kcals. for women and 5.2 kcals. for men. The maximum weights that may be manually lifted or moved during work are 50 kilograms for men and 20 kilograms for women, provided that this activity does not last for more than four hours per shift. If the four hours are exceeded, the maximum permissible weights are reduced by 25 and 15 kilograms respectively.

Standards for the protection of female labour are contained in the Regulations on the Protection of Female Labour and in the attached list of activities that are particularly harmful to health and from which women are excluded. Women are excluded from a number of operative jobs in the mining, metallurgical, metal-working and chemical industries and some jobs in the printing, meat-processing and construction industries. Girls under the age of 18 are excluded from work involving vibrations, noise, supersound, etc.

Article 114 of the LLC forbids the Administrations of firms, offices or organizations to dismiss a working mother or change the conditions of service of a female worker without her consent after her pregnancy has been established. This provision applies throughout her maternity leave and also for the duration of her husband's military service.

According to article 119 of the LLC, female workers who have been pregnant for four months and who have been discharged because of a company closedown or because their work is seasonal must, if they so wish, be placed in a suitable job in the hierarchically superior firm or organization. These women workers remain entitled to cash compensation for expenses due to pregnancy and childbirth even if they have not been placed in another job.

(b) Maternity leave begins 45 days before confinement and, together with the additional paid and unpaid leave for child care which mothers may take if they wish, lasts until the child reaches the age of three (further details are furnished in connection with paragraph e, article 11 of the Convention).

(c) The most important social service to parents consists in the provision of child nurseries.

Crèches for infants up to the age of three accommodate 20.3 per cent of the children in that age group. This meets present requirements adequately, since most mothers make use of the possibility of taking unpaid leave until the child reaches the age of three.

Kindergartens accommodate 75 per cent of children between the ages of three and seven.

(d) Article 117 of the LLC requires firms to transfer pregnant women working in difficult or dangerous conditions to other jobs. Any loss in pay after reassignment is reimbursed from the State Social Insurance Fund. Previously occupied jobs or posts are kept for workers so reassigned.

The social security regulations for farming co-operatives contain the same requirement for reassignment of pregnant co-operative workers whose jobs involve hard or dangerous work.

3. The Decision of 6 March 1973 by the Politburo of the Central Committee of the Bulgarian Communist Party dealing with the enhancement of the role of women in building a developed socialist society calls for the heaviness, strain, intensity and any other potentially dangerous aspects of work to be kept under constant review and for the list of jobs and activities in which the use of female labour is forbidden to be periodically updated and completed in accordance with changes in working conditions.

The protection of female labour and the social security rights of women are being developed and improved continuously. The possibility of extending the right to take leave for child care to fathers is currently being discussed.

Article 12

1. Article 47 of the Bulgarian Constitution affirms the right of every Bulgarian citizen to free medical care and the obligation of the State to concern itself with all aspects of public health.

In addition to general medical services, Bulgarian women receive highly specialized obstetrical and gynaecological care, including advice on family planning, depending on the area where they live or work. On average, there is one doctor for every 8,500 women.

The standard family in Bulgaria over the past 10 to 15 years has consisted of the parents and two children. Contraceptives are widely used in planning the number of children in the family. In some cases they are supplied and dispensed free of charge. Otherwise, contraceptives are available in all pharmacies and maternity counselling centres.

Considerable importance is attached in our country to health and sex education, especially for girls. An education programme on health and ethical questions has been prepared for schools and includes marriage and family problems such as family planning, childbirth, child care, the dangers of abortion, etc. Guidance manuals, brochures and other information material on health matters including problems of marriage, the family and the number and proper rearing of children are distributed free to children, students, teachers and adults in general. Slide shows, lectures and other visual teaching aids on the use of contraceptives are also available.

Women also receive medical attention in cases where pregnancy has to be terminated artificially. This is done in accordance with the provision of Instruction No. 0-27 on the procedure for the artificial termination of pregnancy.

Abortions are permitted in principle and are performed only in hospitals. Any married woman who becomes pregnant may apply to the health authorities for artificial termination of pregnancy. Any married woman who has given birth to two children may demand it. Women over the age of 40 with one child may also demand the termination of an unwanted pregnancy. In cases where pregnancy or birth would endanger the life of the mother or the child, the abortion is performed at the recommendation of the health authorities on the basis of medical indications.

Unmarried women are unconditionally permitted to have abortions at will, while married women may only do so if they already have two children. The rationale of this is that the basic function of the family is to produce and rear children and that family planning should be carried out without recourse to abortion.

2. On the basis of article 124, paragraph 2, of the Rules of Application of the Public Health Act, women's and children's counselling centres have been set up as the main preventive health care facilities for mothers and children.

They deal with medical and social problems arising in connection with the health of the pregnant woman, the foetus and the child. They render assistance and are empowered to enquire into pregnant women's working conditions, ensure the placement of children in child care facilities, and see to it that mothers receive the holidays and material assistance they are entitled to and any other legally established benefits and incentives.

All pregnant women in Bulgaria receive active medical attention in maternity centres. In the course of every normal pregnancy, 15 medical examinations are carried out before and three after confinement. In the case of pathological developments of pregnancy, women are given in-patient treatment in specialized hospitals and departments.

The intrauterine development of the foetus in a complicated pregnancy is monitored with the aid of modern electrodiagnostic equipment (ultrasound, monitors). Pregnant women with extragenital disorders are also treated by the appropriate consultant (cardiologist, endocrinologist, urologist, neurologist, lung specialist).

Regulation No. 15 on the free dispensing of drugs to sick persons at home provides, among other things, that drugs for home treatment or prophylaxis be dispensed to pregnant women, mothers with children under one year of age and children up to the age of three.

Under article 141 of the Rules of Application of the Public Health Act, free social and legal aid offices for pregnant women, mothers with children up to the age of three and others have been set up in all district hospitals, in large regional hospitals and in specialized maternity hospitals. The purpose of these offices is to advise pregnant women and mothers with children on their rights. With the mother's authorization these offices may file paternity suits, alimony suits etc. free of charge.

Free breakfasts for pregnant women employees are financed from the social funds of business enterprises.

Article 13

Women enjoy the same rights as men in all other spheres of economic and social life, in particular in the following areas:

(a) Child allowances at the rates given below are paid on a monthly basis to the families of manual and office workers and workers in agricultural co-operatives, in addition to wages and irrespective of the income of the parents:

For the first, fourth and subsequent children	15 levs
For the second child	25 levs
For the third child	45 levs

The monthly allowances are paid until the child reaches 16 years of age, but an allowance of 10 levs is paid for him if he continues to attend a school or higher educational institution and does not receive a grant. If there are three children in a family, the parents would receive a monthly allowance amounting to 50 per cent of the average wage in all sectors of industry.

Single mothers are also entitled to monthly supplements, but in their case the amount payable for the first child is higher (20 levs per month). If a single mother is not working she does not forfeit the right to the monthly supplements, which in such cases are paid by the People's Council (Commune) of her place of residence.

Families in which one of the spouses is studying at a higher educational institution or an intermediate or secondary-level technical college receive a monthly allowance of 30 levs for each child up to the age of 16. Post-graduate students also receive such monthly allowances, as do families in which the husband is doing military service.

(b) Women, as citizens enjoying equal rights, are eligible for all types of State loans for housing purchase or other purposes.

Under article 29 of the Regulations governing the credit activities of the State Savings Bank, each partner in a newly married couple is entitled to obtain, on identical terms, a loan of 1,000 levs.

(c) Special efforts are made to encourage more women to take part in the system of sports instruction and training and competitive sporting activities. The physical culture festival entitled "Mummy, Daddy and I" is gaining widespread popularity.

Women are able to participate on equal conditions and with equal access in physical training, sport and tourism. Specialized propaganda material in this field is produced for them and instructional literature is issued on matters relating to physical culture for girls, pregnant women, young mothers and older women, with due regard to the nature of their employment. Special tests have been introduced in order to measure physical capability according to age. Competitions confined to women are organized in types of sport to which they are suited.

Women have access on an equal footing with men to the wide network of holiday centres during vacations. In this regard efforts are made to meet the needs of the family.

Article 14

1. Social policy in Bulgaria is aimed at bridging the gaps between cities and the countryside and at establishing equality in working and living conditions in rural and urban areas.

The problems specifically affecting women in rural areas are therefore constantly diminishing.

Women account for 50.4 per cent of the workforce engaged in collective agricultural production. In addition to their work in the agro-industrial units, both men and women operate individual holdings, part of the produce from which is sold at market.

2. The way in which production in agricultural areas is organized helps to strengthen the equality of rights between men and women. Women enjoy all the benefits and advantages deriving from their participation in agricultural production.

(a) Women are involved in resolving problems related to work and daily life by participating in the preparation of the social and economic plans of the workers' collectives.

(b) Women in rural areas enjoy full access to up-to-date public health service facilities.

(c) Women workers in agriculture enjoy the same rights with respect to social security and labour protection as women manual and office workers.

(d) Since 1977 a comprehensive programme for raising the level of education and qualifications of agricultural workers has been in operation. Under this programme women are encouraged to engage in specific occupations. Inter-district schools for the training of dairy-maids have been set up, and a large number of women undergo vocational training in these schools every year.

Qualified livestock specialists receive special pay, and this acts as an encouragement to women to improve their qualifications.

Women constitute 37.4 per cent of the total number of graduates of specialized vocational training colleges.

The agricultural authorities are establishing the necessary conditions for increasing from its current level of 5 per cent the proportion of women engaged in rationalization and innovation.

(e) Collective ownership of the means of production and the organization of labour in agriculture provide the basis for all forms of activity and mutual assistance.

(f) All women in agricultural areas have access to the various types of loans made available by the State Savings Bank.

(g) There is no significant difference in living conditions between agricultural and urban areas.

Article 15

1. Equality before the law is affirmed as a constitutional principle in article 35 of the Constitution, which states that "all citizens of the People's Republic of Bulgaria are equal before the law, and no privileges or restrictions of rights are permitted on the basis of nationality or race, sex, religious affiliation, educational qualifications, or social and property status."

2. In civil matters State legislation accords to women a legal capacity identical to that of men. Under article 1 of the Persons and Family Act a person, from the moment he is born, acquires the capacity to bear rights and obligations, while under article 2 a person attains his majority at the age of 18 and becomes fully entitled to acquire rights and incur obligations through his own actions.

Article 130 of the Constitution states: "Judges shall apply the law exactly and impartially to all citizens."

3. Under article 26 of the Obligations and Contracts Act, contracts which do not comply with the law are legally void. Similarly, any contract or private instrument which restricts a woman's legal capacity contravenes the law and is legally void by virtue of these provisions.

4. All administrative provisions regulating matters relating to the movement of persons and their right to choose their residence and domicile apply equally to men and women.

Article 16

1. Legislative provisions concerning family relations and established social practice both exclude discrimination against women.

(a) Equal rights to enter into marriage are affirmed in article 1 of the Family Law Code, which states that regulations concerning family relations shall be in accordance with the principles of the voluntary nature of the marriage bond and full equality of men and women. Any person who has attained the age of 18 years may enter into marriage. Exceptionally, a person who has reached the age of 16 years may also marry, provided that the Chairman of the District Court grants permission and that the marriage is necessary for compelling reasons.

(b) Under article 3 of the Family Law Code a marriage is contracted when the man and woman affirm their mutual consent to it, individually and together, before a competent official of the civil authority.

If a marriage is contracted under duress it may be declared null and void. In the contracting of a marriage the following types of constraint and coercion are regarded as offences under the Criminal Code: violence used to compel a person to enter into a marriage (article 117, para. 1, of the Criminal Code); abduction of a female person for the purpose of entering into a marriage (article 117, para. 2, of the Criminal Code); acceptance of a payment for a bride by a parent or relative, and also the making of such a payment or acting as go-between in a transaction of that kind (article 178, para. 1, of the Criminal Code).

(c) The Family Law Code provides for equal rights and obligations during a marriage and at its dissolution (article 11 of the Family Law Code).

A spouse who is a minor becomes legally responsible upon entering into marriage (article 76, para. 2, of the Family Law Code).

Article 12 of the Code provides that the partners shall endeavour, through mutual understanding and joint effort and to the extent of their capacities, resources and income, to ensure the well-being of the family and to take care of the upbringing of the children.

Under article 21 of the Code either spouse may institute divorce proceedings in the event of a serious and irreparable breakdown of the marriage. In granting a divorce a court will also assign culpability at the request of one of the spouses. Where there is a serious and unshakable mutual agreement on the part of the spouses to dissolve the marriage, the court will grant the divorce without going into the reasons for which it has been sought.

In their property relations the spouses enjoy equal rights. The Family Law Code affirms the joint ownership of movable and immovable property and titles accumulated during the marriage, irrespective of which partner's name the property is registered in, and provided that the purpose of such property is the upkeep of the family. Movable and immovable property and titles to the ownership, use and disposition of property which are acquired during a marriage through inheritance or deed of gift are exempt from the principle of joint ownership, as are personal effects or chattels used by a spouse in carrying on his or her occupation (article 13, para. 2, of the Family Law Code).

Jointly-owned property or titles to property are jointly administered by the spouses or by one spouse acting with the consent of the other. Each

of the spouses is entitled to carry out the normal functions of administering the joint property. Each spouse is entitled to dispose of his or her savings without the prior consent of the other.

The Family Law Code provides for the equal division of jointly-owned property (article 14, paras. 1 and 3, of the Family Law Code). In the case of property individually owned by one of the spouses (such as chattels used in carrying on an occupation, or accounts, including savings) the other spouse is entitled to claim a due share on the basis of his or her contribution. It is specifically provided that household duties constitute such a contribution (article 14, para. 5, of the Family Law Code). Proceedings for the division of property may also be instituted prior to divorce if the conduct of the spouse who has acquired it jeopardizes the interests of the children or of the other spouse.

One major consequence of a divorce can be the obligation to provide for a former spouse's maintenance. In this respect both spouses are equal before the law. The maintenance obligation is determined by general legal criteria, i.e. it arises if the former spouse is unable to work or to be self-supporting (article 79 of the Family Law Code).

The spouse who is the guilty party in a divorce is not entitled to maintenance (article 89 of the Family Law Code). Among those persons legally entitled to a maintenance order a former spouse takes precedence (articles 81 and 82 of the Family Law Code). The period in which maintenance is payable shall not be greater than three years subsequent to the divorce. Under the Family Law Code, this three-year period may be extended if the former spouse is able to pay the maintenance without undue hardship and if the other spouse is in particularly distressed circumstances (article 89, para. 2, of the Family Law Code).

The law of inheritance establishes equal rights for male and female children, for children born in wedlock and out of wedlock, and for husbands and wives.

(d) Relations between parents and children are regulated in law on the basis of parentage, and not on the basis of marriage. This means that men and women have equal rights and obligations deriving from the child's parentage.

Under article 59 of the Family Law Code parents have the obligation to bring up their children and to prepare them for a socially useful activity. Article 61 states that both parents exercise parental rights jointly and separately, while under article 62 each of them may individually act as a representative of his or her children while they are under age, and may give consent to transactions involving them provided such transactions are in their interests.

In divorce proceedings, questions relating to the children are settled by the court in accordance with the children's interests (articles 28 and 29 of the Family Law Code).

(e) The equality of rights and obligations of the spouses means that they have an identical right to decide freely on the number and spacing of the children in the family.

In order to assist family planning, information and other resources are made available, including the requisite medical services.

Men and women enjoy equal rights with regard to guardianship, wardship and adoption of children.

In all cases the Institute of Guardians acts in the interests of the children (article 69 of the Family Law Code).

(f) The equality of personal rights of men and women is established by legislation.

This equality extends to the choice of a family name. On entering into a marriage, each of the spouses may express the desire to retain his or her family name, to adopt the family name of the other spouse or to combine the two family names (article 7 of the Family Law Code). The legislator has thus ensured that a woman's family name can become the family name of the couple.

The Family Law Code provides that each spouse is free to choose his or her occupation (article 11, para. 3). This is a concrete affirmation in the field of family relations of every Bulgarian citizen's right, enshrined in the Constitution, to free choice of profession.

(g) The regulations concerning property relations between spouses on the basis of joint ownership act as a guarantee of their equality of rights in the acquisition, ownership, management, enjoyment and disposition of property.

2. The marriage of a child has no legal effect, since the Family Law Code specifies 18 years as the minimum age for marriage, or exceptionally 16 years. Only a civil marriage contracted according to the legally established procedure has legal effect (article 2 of the Family Law Code).

STATUTORY PROVISIONS

1. Constitution of the People's Republic of Bulgaria - published in the Official Gazette /Gosudarstvennaya gazeta/, No. 31, 1971.

2. Decree No. 1199 on Ratification of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights - published in the Official Gazette, No. 60, 1970.

3. Bulgarian Citizenship Law - published in the Official Gazette, No. 79, 1968, with amendments in No. 36, 1979.

4. Labour Legislation Code - published in the newspaper Izvestiya, No. 91, 1951, with amendments in Izvestiya, No. 92, 1957; Official Gazette, Nos. 24, 36 and 92, 1962; Nos. 1, 61, 90 and 99, 1965; Nos. 15 and 33, 1970; Nos. 53 and 81, 1973; No. 27, 1975; No. 63, 1976; No. 32, 1977; No. 57, 1981.

5. Rules of Application for Part III of the Labour Legislation Code - published in Izvestiya, No. 30, 1958; Nos. 9 and 49, 1960; Nos. 59 and 66, 1962; Official Gazette, Nos. 24, 36, 44 and 99, 1963; No. 49, 1964; Nos. 1, 58, 90 and 99, 1965; No. 66, 1967; No. 15, 1968; No. 14, 1969; No. 19, 1972; Nos. 59 and 67, 1973; Nos. 37 and 59, 1975; No. 59, 1977; No. 42, 1980; No. 21, 1981; No. 33, 1982.

6. Rules concerning Social Security for Workers in Agricultural Collectives - published in the Official Gazette, No. 67, 1967; with amendments in No. 15, 1968; Nos. 67 and 59, 1973; No. 59, 1975.

7. Regulations on the Protection of Female Labour (Manual and Office Workers) - published in Izvestiya, No. 53, 1959; with amendments in the Official Gazette, No. 39, 1973; No. 95, 1975; No. 10, 1980.

8. Edict on the Encouragement of Childbirth - published in the Official Gazette, No. 23, 1968; with amendments in No. 21, 1968; No. 63, 1973; No. 17, 1974; Nos. 3 and 21, 1975; No. 63, 1976; Nos. 36 and 93, 1979; No. 73, 1982.

9. Rules of Application for the Edict on the Encouragement of Childbirth - published in the Official Gazette, No. 30, 1968; with amendments in No. 9, 1969; No. 52, 1971; No. 86, 1973; No. 32, 1974; Nos. 27 and 80, 1975; No. 35, 1976; No. 19, 1980.

10. Regulations concerning Physical Strain on Workers and Hygienic and Physiological Requirements for the Rational Organization of Workplaces and Work Processes - published in the Official Gazette, No. 25, 1971.

11. Circular 0-9 (1971) of the Ministry of Labour and Social Affairs, the Ministry of Finance and the Central Council of Bulgarian Trade Unions - published in the Official Gazette, No. 27, 1971.

12. Instruction No. 0-4 on Determining the Length of Service of Mothers and Female Adoptive Parents Who Are Workers in Agricultural Collectives, or Who Are Not Working, in the Event of Pregnancy, Childbirth or the Bringing up of Children - published in the Official Gazette, No. 15, 1970.

13. Pensions Act - published in Izvestiya, No. 91, 1957; with amendments in No. 104, 1959; Official Gazette, No. 105, 1962; No. 103, 1964; No. 92, 1965; Nos. 25 and 101, 1966; No. 102, 1967; Nos. 59 and 97, 1969; No. 48, 1970; No. 63, 1970; Nos. 3 and 61, 1971; Nos. 36 and 65, 1976; No. 53, 1973; No. 34, 1974; Nos. 3, 36 and 53, 1975; Nos. 2 and 63, 1976; No. 80, 1979; No. 90, 1980; No. 9, 1981.

14. Rules of Application for the Pensions Act - published in Izvestiya, No. 5, 1958; with amendments in No. 104, 1958; No. 65, 1960; Nos. 49, 66 and 87, 1961; Nos. 4 and 54, 1962; No. 99, 1963; Nos. 49 and 102, 1964; Nos. 9, 45 and 89, 1965; Nos. 10, 72, 77 and 101, 1966; Nos. 53 and 102, 1967; Nos. 39 and 64, 1968; No. 97, 1969; No. 79, 1970; No. 10, 1972; No. 67, 1963; No. 57, 1974; No. 65, 1975; No. 47, 1976; Nos. 59 and 86, 1977; Nos. 73 and 94, 1979; No. 42, 1980.

15. Family Law Code - published in the Official Gazette, No. 23, 1968; with amendments in No. 27, 1973; No. 89, 1976; No. 36, 1979.

16. Statute 473 on the Payment of Child Maintenance Orders by District People's Councils - published in the Official Gazette, No. 55, 1975.

17. Public Health Act - published in the Official Gazette, No. 88, 1973; with amendments in No. 63, 1976.

18. Rules of Application for the Public Health Act - published in the Official Gazette, No. 31, 1974; with amendments in No. 99, 1980.

19. Instruction No. 132 on the Work of Social and Legal Assistance Offices Attached to Health Institutions - published in the Official Gazette, No. 18, 1975.

20. Instruction No. 0-27 on the Procedure for Artificial Termination of Pregnancy - published in the Official Gazette, No. 32, 1973; with amendments in No. 15, 1974.

21. Criminal Code - published in the Official Gazette, No. 26, 1968; with amendments in No. 92, 1969; Nos. 26 and 27, 1973; No. 89, 1974; No. 95, 1975; No. 3, 1977; No. 54, 1978; No. 89, 1979.

22. Provision concerning the Credit Activities of the State Savings Bank - published in the Official Gazette, No. 79, 1979.